

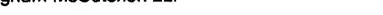
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b> <small>JUL 22 2005</small> <small>PATENT &amp; TRADEMARK OFFICE</small> <small>U.S. PATENT AND TRADEMARK OFFICE</small> <small>ALL INFORMATION CONTAINED HEREIN IS UNPUBLISHED AND CONFIDENTIAL</small>		Application Number	09/940,679
		Filing Date	August 27, 2001
		First Named Inventor	Majid L. RIAZIAT
		Art Unit	3736
		Examiner Name	John P. Lacyk
Total Number of Pages in This Submission	7	Attorney Docket Number	267/032; VM7010755001

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Form PTO/SB/08b (2 pages); 27 references; postcard receipt
<b>Remarks</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm	Bingham McCutchen LLP		
Signature			
Printed Name	Gerald Chan		
Date	July 20, 2005	Reg. No.	51,541

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature			
Typed or printed name	Mary B. Zimmerman	Date	July 20, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



PATENT  
Docket No. 267/032  
VM7010755001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:

Majid L. RIAZIAT et al.

Serial No.: 09/940,679

Filing Date: August 27, 2001

For: MARKERS AND SYSTEMS FOR  
DETECTING SUCH MARKERS (AS  
AMENDED)

Confirmation No.: 5559

Examiner: John P. Lacyk

Group Art Unit: 3736

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR §§ 1.97 and 198, the items identified in this Information Disclosure Statement (IDS) are being brought to the attention of the Office. The items are listed on the attached form PTO/SB/08b. The Examiner is requested to make these documents of record.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicants is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicants as such.

**1. Timing of the Information Disclosure Statement:**

This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) with the new patent application submitted herein (37 CFR § 1.97(a)); or (2) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d) or (3) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (4) before the mailing of a first Office action on the merits; or (5) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

- However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.
- However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.
- This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office Action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.
  - The fee due under 37 CFR § 1.17(p) is submitted herewith.
  - The fee due under 37 CFR § 1.17(p) is being concurrently submitted with the filing of an electronic IDS submission. Thus, no additional fee is required.
  - A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.
- This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.
- This IDS is being submitted under 37 CFR § 1.97(i), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee.

**STATEMENT UNDER 37 CFR § 1.97(e):**

- No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application more than three months prior to the filing of this IDS.
- No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

**2. Copies of the Cited Items:**

Copies of all of the items listed on the attached form PTO/SB/08b are enclosed.

Copies of only the following items listed on the attached forms PTO/SB/08a (Item Nos. \*) and PTO/SB/08b (Item Nos. \*) are enclosed.

Copies of the following items listed on the attached form PTO/SB/08a (Item Nos. \*) are not enclosed. See 37 CFR 1.98(a)(2)(i).

Copies of the following documents listed in PTO/SB/08a (Item Nos. \*) and PTO/SB/08b (Item Nos. \*) are not supplied as they were previously cited by the Office or submitted in Information Disclosure Statements in related applications (Application No. \*, filed \*) and relied upon in this application for an earlier filing date under 35 USC § 120. See 37 CFR § 1.98(d). The Examiner is requested to make these documents of record.

Copies of the following items listed on the attached forms PTO/SB/08a (Item Nos. \*) and PTO/SB/08b (Item Nos. \*) were cited in a foreign examination report in a related case. A copy of the search report and the cited references not already of record in this application are attached hereto.

**3. Concise Explanation of Relevance:**

A concise explanation of relevance of the items listed on form PTO/SB/08b is not given.

A concise explanation of relevance of [some of] the items listed on forms PTO/SB/08a and PTO/SB/08b is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references (copy attached).

**4. Related Applications:**

Applicant(s) bring to the Office's attention the following related application(s): U.S. Serial No. 09/178,385 filed October 23, 1998 now U.S. Patent No. 6,279,579; U.S. Serial No. 09/178,383 filed October 23, 1998 now U.S. Patent No. 6,621,889; U.S. Serial No. 09/178,384 filed October 23, 1998 abandoned; U.S. Serial No. 09/712,724 filed November 14, 2000 now U.S. Patent No. 6,690,965; U.S. Serial No. 09/893,122 filed June 26, 2001; U.S. Serial No. 10/234,658 filed September 3, 2002; U.S. Serial No. 10/305,416 filed November 25, 2002;

U.S. Serial No. 10/327,603 filed December 20, 2002; U.S. Serial No. 10/664,534 filed September 16, 2003; U.S. Serial No. 10/678,741 filed October 3, 2003; U.S. Serial No. 10/957,009 filed September 30, 2004; U.S. Serial No. 11/105,884 filed April 13, 2005; and U.S. Serial No. 11/116,699 filed April 27, 2005.

**5. Conclusion:**

Citation of the above documents shall not be construed as:

1. an admission that the documents are necessarily prior art with respect to the instant invention;
2. a representation that a search has been made, other than as described above; and
3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached forms PTO/SB/08a and PTO/SB/08b with initials or other appropriate marks. In the unlikely event that the transmittal letter is separated from this document and the U.S. Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 50-2518** referencing **7010755001**.

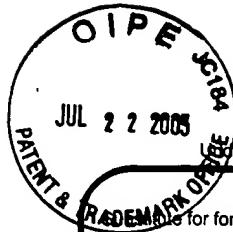
However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: 7/20/05

By: Gerald Chan  
Gerald Chan  
Registration No. 51,541

Bingham McCutchen LLP  
Three Embarcadero Center, Suite 1800  
San Francisco, California 94111-4067  
Telephone: (650) 849-4400  
Facsimile: (650) 849-4800



Sample for form 1449B-PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

1

of

2

Complete if Known

Application Number	09/940,679
Filing Date	August 27, 2001
First Named Inventor	Majid L. RIAZIAT
Art Unit	3736
Examiner Name	John P. Lacyk

Attorney Docket Number

267/032; VM7010755001

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher city and/or country where published	T <sup>2</sup>
	1	AHLSTRÖM, K. H. et al. "Pulmonary MR Angiography with Ultrasmall Superparamagnetic Iron Oxide Particles as a Blood Pool Agent and a Navigator Echo for Respiratory Gating: Pilot Study" <i>Radiology</i> (June 1999) 211(3):865-869	
	2	AXEL, L. et al. "Respiratory Effects in Two-Dimensional Fourier Transform MR Imaging" <i>Radiology</i> (Sept. 1986) 160(3):795-801	
	3	DANIAS, P.G. et al. "Prospective Navigator Correction of Image Position for Coronary MR Angiography" <i>Radiology</i> (June 1997) 203:733-736	
	4	DU, Y.P. et al. "A comparison of prospective and retrospective respiratory navigator gating in 3D MR coronary angiography" <i>Int'l J. Cardiovascular Imaging</i> (2001) 17:287-294	
	5	DU, Y.P. "Prospective navigator gating with a dual acceptance window technique to reduce respiratory motion artifacts in 3D MR coronary angiography" <i>Int'l J. Cardiovascular Imaging</i> (2003) 19:157-162	
	6	FELBLINGER, J. et al. "Effects of physiologic motion of the human brain upon quantitative <sup>1</sup> H-MRS: analysis and correction by retrogating" <i>NMR in Biomedicine</i> (1998) 11:107-114	
	7	FISHBEIN, K.W. et al. "The lever-coil: a simple, inexpensive sensor for respiratory and cardiac motion in MRI experiments" <i>Magnetic Resonance Imaging</i> (2001) 19:881-889	
	8	HAACKE, E.M. and G.W. LENZ "Improving MR Image Quality in the Presence of Motion by Using Rephasing Gradients" <i>AJR</i> (June 1987) 148:1251-1258	
	9	HUBER, A. et al. "Navigator Echo-Based Respiratory Gating for Three-Dimensional MR Coronary Angiography: Results from Healthy Volunteers and Patients with Proximal Coronary Artery Stenoses" <i>AJR</i> (July 1999) 173:95-101	
	10	LIEBERMAN, J.M. et al. "Gated Magnetic Resonance Imaging of the Normal Diseased Heart" <i>Radiology</i> (Aug. 1984) 152:465-470	
	11	MANKE, D. et al. "Respiratory Motion in Coronary Magnetic Resonance Angiography: A Comparison of Different Motion Models" <i>J. Magnetic Resonance Imaging</i> (2002) 15:661-671	
	12	MANKE, D. et al. "Model Evaluation and Calibration for Prospective Respiratory Motion Correction in Coronary MR Angiography Based on 3-D Image Registration" <i>IEEE Transactions on Medical Imaging</i> (Sept. 2002) 21(9):1132-1141	
	13	McCONNELL, M.V. et al. "Comparison of Respiratory Suppression Methods and Navigator Locations for MR Coronary Angiography" <i>AJR</i> (May 1997) 168:1369-1375	
	14	McCONNELL, M.V. et al. "Prospective Adaptive Navigator Correction for Breath-Hold MR Coronary Angiography" <i>MRM</i> (1997) 37:148-152	

Examiner's Signature		Date Considered	
----------------------	--	-----------------	--

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. This information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Substitute for form 1449B-PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

2

of

2

Complete if Known

Application Number	09/940,679
Filing Date	August 27, 2001
First Named Inventor	Majid L. RIAZIAT
Art Unit	3736
Examiner Name	John P. Lacyk

Attorney Docket Number

267/032; VM7010755001

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher city and/or country where published	T <sup>2</sup>
	15	NIKOLAOU, K. et al. "Navigator Echo-Based Respiratory Gating for Three-Dimensional MR Coronary Angiography: Reduction of Scan Time Using a Slice Interpolation Technique" <i>J. Computer Assisted Tomography</i> (2001) 25(3):378-387	
	16	PLEIN, S. et al. "Three-Dimensional Coronary MR Angiography Performed with Subject-Specific Cardiac Acquisition Windows and Motion-Adapted Respiratory Gating" <i>AJR</i> (Feb. 2003) 180:505-512	
	17	POST, J.C. et al. "Three-Dimensional Respiratory-Gated MR Angiography of Coronary Arteries: Comparison with Conventional Coronary Angiography" <i>AJR</i> (June 1996) 166:1399-1404	
	18	REGENFUS, M. et al. "Comparison of Contrast-Enhanced Breath-Hold and Free-Breathing Respiratory-Gated Imaging in Three-Dimensional Magnetic Resonance Coronary Angiography" <i>Am. J. Cardiology</i> (Oct. 1, 2002) 90:725-730	
	19	SCHÄR, M. et al. "The Impact of Spatial Resolution and Respiratory Motion on MR Imaging of Atherosclerotic Plaque" <i>J. Magnetic Resonance Imaging</i> (2003) 17:538-544	
	20	SPUENTRUP, E. et al. "Respiratory motion artifact suppression in diffusion-weighted MR imaging of the spine" <i>Eur. Radiol.</i> (2003) 13:330-336	
	21	THICKMAN, D. et al. "Phase-Encoding Direction upon Magnetic Resonance Image Quality of the Heart" <i>Magnetic Resonance in Medicine</i> (1988) 6:390-396	
	22	WANG, Y. et al. "Navigator-Echo-based Real-Time Respiratory Gating and Triggering for Reduction of Respiration Effects in Three-dimensional Coronary MR Angiography" <i>Radiology</i> (1996) 198:55-60	
	23	WEBER, C. et al. "Correlation of 3D MR coronary angiography with selective coronary angiography: feasibility of the motion adapted gating technique" <i>Eur. Radiol.</i> (2002) 12:718-726	
	24	WIESMANN, F. "High-Resolution MRI with Cardiac and Respiratory Gating Allows for Accurate In Vivo Atherosclerotic Plaque Visualization in the Murine Aortic Arch" <i>Magnetic Resonance in Medicine</i> (2003) 50:69-74	
	25	WOOD, M.L. and R.M. HENKELMAN "Suppression of respiratory motion artifacts in magnetic resonance imaging" <i>Med. Phys.</i> (Nov/Dec 1996) 13(6):794-805	
	26	WORTHLEY, S.G. et al. "Cardiac gated breath-hold back blood MRI of the coronary artery wall: An in vivo and ex vivo comparison" <i>Int'l J. Cardiovascular Imaging</i> (2001) 17:195-201	
	27	YAMASHITA, Y. et al. "MR Imaging of Focal Lung Lesions: Elimination of Flow and Motion Artifact by Breath-Hold ECG-Gated and Black-Blood Techniques on T2-Weighted Turbo SE and STIR Sequences" <i>J. Magnetic Resonance Imaging</i> (1999) 9:691-698	

Examiner's Signature		Date Considered	
----------------------	--	-----------------	--

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. This information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.